

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

HENRY & EDDIE MAE CLAY, ET AL.,

PLAINTIFFS,

VS.

CIVIL ACTION NO. 4:02CV169-P-B

**FIRST FAMILY FINANCIAL SERVICES,
INC., ET AL.,**

DEFENDANTS.

FINAL JUDGMENT

This matter comes before the court *sua sponte* after consideration of the current posture of this case. On this same day, the court entered an Order granting the defendants' motion for summary judgment and dismissing with prejudice the claims of Roberta Clay, Lula Gooden, Willie Lee Hudson, Jr., Angela Jackson, Lula Langley, Betty Malone, Linda Morris, Callie Mae Phillips, Louisa Smith, Earnestine Williams, Dorothy Person, and Eddie Williams. On September 8, 2004, the court entered an Order compelling arbitration of the claims of plaintiffs Henry Clay, Eddie Mae Clay, Robert Clay, Margaret Clay, Kenya Clay, Timmy Clay, and Lisa Singleton. In that order, the court stayed the action pending the results of the arbitration. On November 8, 2005, the court compelled arbitration of the claims of the remaining plaintiff Mary Shaffer.

"The weight of authority clearly supports dismissal of the case when all of the issues raised in the district court must be submitted to arbitration." *Alford v. Dean Witter Reynolds, Inc.*, 975 F.2d 1161, 1164 (5th Cir. 1992). Accordingly, this action should be dismissed with prejudice.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) The claims of Henry Clay, Eddie Mae Clay, Robert Clay, Margaret Clay, Kenya Clay, Timmy Clay, Lisa Singleton, and Mary Shaffer are **DISMISSED WITH PREJUDICE**; and

(2) This case is **CLOSED**.

SO ORDERED this the 18th day of August, A.D., 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE